REMARKS

This Amendment is fully responsive to the final Office Action dated September 12, 2007, issued in connection with the above-identified application. Claims 1, 3-10 and 12-18 are all the claims pending in the application. With this Amendment, claims 1, 7, 8, 10 and 16 have been amended. No new matter has been added by this Amendment. Favorable reconsideration is respectfully requested.

In the Office Action, claims 1, 3-10 and 12-18 have been rejected under 35 USC 102(e) as being anticipated by Orr (US Patent No. 6,760,535, hereafter "Orr").

The Applicants have amended independent claims 1 and 10 to further distinguish over the cited prior art. Claim 1, in relevant part, recites the following:

"A recording apparatus comprising: . . .

a receiving unit operable to receive a specification on a period of time within the broadcast content, wherein said receiving unit displays a menu in which the current time is associated with a time N hours ago prior to the current time, and a retention of a broadcast content after the end of a broadcasting is based on the received specification on the period of time via the menu."

The features noted above in independent claim 1 are similarly recited in independent claim 10 (as amended). Specifically, claim 10 is directed to a program that performs a receiving step having similar features of receiving unit of claim 1. These features of claims 1 and 10 are fully supported by the Applicants' disclosure (see e.g., page 13, line 8-page 15, line 20).

As amended, independent claims 1 and 10 point out the use of protective attributes for protecting data from being deleted or overwritten, wherein the protective attributes are entered via a displayed menu. Specifically, a user inputs a specification regarding a protective attribute using a displayed menu of the receiving unit. The menu can be a graphical user interface (GUI) that displays a broadcast schedule of programs that have been broadcasted between N hours ago and the current time. A protective attribute setting unit of the recording apparatus interprets the user input from the menu and sets protective attributes for retaining broadcasted and stored programs.

For example, assume that N hours are set as 24 or 48 hours. On a recording medium, broadcasted programs 24 or 48 hours ago up until the current time are stored as part of a continuous

recording operation. A user can prevent certain stored programs from being deleted or overwritten by entering specifications regarding a protective attribute via the menu. Thus, even if a user is not home, he/she can still retain a desired program and watch the program at a later time.

In the Office Action, the Examiner relied on Orr for disclosing a recording apparatus with all the features recited in claims 1 and 10. However, Orr merely discloses a recording apparatus for managing, in a database, content recorded on a hard disk. The content in the database is managed by implementing the use of different fields (e.g., SHOW TAG FIELD, PROTECTED FIELD and PLAYED FIELD) to the stored data. For example, a SHOW TAG FIELD is used to designate searchable data, a PROTECT FIELD is used for prohibiting the deletion of data, and the PLAY FIELD designates data that has already been played (see, col. 6, lines 14-66). In Orr, content that has already been watched and does not include an attached PROTECT FIELD is marked for deletion. (e.g., Fig. 4, step 218). On the other hand, if sufficient hard disk space is available, content is archived (e.g., Fig. 4, step 208).

Based on the foregoing, Orr fails to disclose or suggest at the least features of claims 1 and 10 noted below.

1) In the present invention, the protective attributes are entered by a user via the receiving unit and a displayed menu. No such receiving unit or menu is disclosed or suggested in Orr.

2) In the present invention, the content that is retained and played back is content recorded N hours ago that has not been overwritten and to which a specification (e.g., protective attribute) has been applied after N hours of time has elapsed. On the other hand, Orr discloses playing back content stored in a database.

3) The present invention is directed to the protection of content that is being continuously recorded, wherein a pointer indicates a location of writing content, and an offset is used for skipping over content that is to protected or marked for retention. Orr merely discloses adopting the most suitable method for deleting files or for allowing a user to select files to be deleted.

Accordingly, independent claims 1 and 10 are not anticipated or rendered obvious by Orr. Likewise, dependent claims 3-9 and 12-18 are not anticipated or rendered obvious by Orr based at

least on their dependency from independent claims 1 and 10.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. Additionally, the Applicants respectfully request that the Examiner withdraw the rejections presented in the Office Action dated September 12, 2007, and pass this application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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